SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

547

FROM: Executive Office

SUBMITTAL DATE:
February 1, 2011

SUBJECT: 2011 State Legislative Platform

RECOMMENDED MOTION: That the Board approve the 2011 State Legislative Platform and direct the Executive Office and the county's Sacramento representatives to advance the legislative proposals contained here.

BACKGROUND: Each year the Board adopts a State Legislative Platform to guide the legislative advocacy efforts at the state level. The Executive Office worked with Board members, department and state advocates in developing the State Platform. Previously approved Board positions from earlier state platforms are still in effect. The 2011 platform includes: Key State Legislative priorities, new existing policy items, selected policy items of continuing importance, and finally the Urban County Caucus state positions are presented for Board approval. Due to the dynamic nature of the legislative process, additional state legislative issues of concern to the county will be brought forward to the Board for appropriate action throughout the year as the need arises.

Attachment

Alex Gann
Alex Gann
Principal Management Analyst

FINANCIAL DATA				
	Current F.Y. Total Cost:	$ 0	**In Current Year Budget:**	N/A
	Current F.Y. Net County Cost:	$ 0	**Budget Adjustment:**	N/A
	Annual Net County Cost:	$ 0	**For Fiscal Year:**	N/A

SOURCE OF FUNDS:

Positions To Be Deleted Per A-30	☐
Requires 4/5 Vote	☐

C.E.O. RECOMMENDATION: APPROVE

BY: Dean Deines

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes:	Buster, Tavaglione, Stone, Benoit and Ashley
Nays:	None
Absent:	None
Date:	February 15, 2011
xc:	EO, State Rep's.

Kecia Harper-Ihem
Clerk of the Board
By: Deputy

2011 FEB -8 AM 8:53

☐ Consent ☒ Policy
☐ Consent ☒ Policy
Departmental Concurrence
Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: | **District:** | **Agenda Number:** 3.1

RIVERSIDE COUNTY
2011

STATE LEGISLATIVE PLATFORM

BOARD OF SUPERVISORS

Bob Buster
Chairman

John Tavaglione
Second District

Jeff Stone
Third District

John Benoit
Fourth District

Marion Ashley
Fifth District

Bill Luna
County Executive Officer

3.1

RIVERSIDE COUNTY
2011

STATE LEGISLATIVE PLATFORM

COUNTY OF RIVERSIDE
MAY 9, 1893

BOARD OF SUPERVISORS

Bob Buster
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John Tavaglione
Second District

Jeff Stone
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Fourth District

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Fifth District

Bill Luna
County Executive Officer

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Executive Summary

Executive Summary

The Executive Office prepared this document with assistance from the Board members, department heads, state advocates and regional stakeholders. Previously approved Board positions from earlier state platforms are still in effect. The 2011 platform includes: Key State Legislative Priorities, new existing policy items, selected policy items of continuing importance, and finally the Urban County Caucus state positions are presented for Board approval. Due to the dynamic nature of the legislative process, additional state legislative issues of concern to the county will be brought forward to the Board for appropriate action throughout the year as the need arises.

Based on the principles of fiscal stability, preservation of local control, efficient service delivery and operations and the promotion of inter-agency cooperation, the Riverside County Board of Supervisors provide specific direction and overall policy guidance by adopting an annual platform for each legislative session in accordance with Board Policy A-27.

State Legislative Priorities

State Legislative Priorities

Governance and Finance:

In order to fulfill the dual roles of agent of the state and local service provider, counties must have adequate authority, flexibility, and resources. Most importantly, counties must have stable sources of revenue that enable them both to implement state laws and respond to essential local priorities.

The County Board of Supervisors:

- Support the realignment of programs from the state to counties, provided that such realignment comes with sufficient funding and the flexibility needed to effectively and efficiently administer realigned programs.
- Support measures that provide adequate funding for programs the county operates on behalf of the state and oppose additional program reductions unaccompanied by a commensurate decrease in responsibility and any attempts to shift costs to counties.
- Support measures that provide constitutional protection of all local revenues.
- Support measures that provide greater decision making authority over the use of state funds, including direct grants or mandatory pass-through allocations.
- Oppose measures that erode local control and impose additional mandates without a funding mechanism in place.
- Support legislation or budget action that reduce, streamline or eliminate duplicative or contradictory regulatory and administrative oversight requirements of state programs.
- Support legislation or budget actions that preserve, protect or expand redevelopment and enterprise zones.
- Oppose reductions in state programs that require increased local funding to maintain the same level of service.

New State Legislative Policy Items

Issue: Access to Health Care.

Position: The County should support or sponsor action or legislation that will promote equity in funding so that Riverside County residents have the same access to health care as other residents in other counties.

Background: There is tremendous disparity between counties and regions in California in funding for Health and Mental Health Services. The disparity is historical since most programs are funded on a first come, first served basis. State funding is disconnected from population, so high growth counties, suffer even more disparity. Riverside County receives close to the least dollars per capita in the state for health and mental health.

According to a published report in The Press Enterprise, dated August 23, 2009, in FY 2006-07, Riverside County came in 57th out of the state's 58 counties in the amount it received per capita in what is called health and mental health realignment money, according to date from the California State Controller's Office. That year, the state distributed nearly $2.8 billion for health care to the poor.

Riverside County got $45.24 per capita, while the state median was $75.75 per capita. San Francisco County ranked no. 1, receiving almost $200 per capita.

Issue: Protection of Proposition 10 funds for local use.

Position: Oppose legislation, or other efforts that would:

1. Redirect or reduce Proposition 10 funds from Riverside County;

2. Impact the local autonomy of First 5 Commissions to allocate Proposition 10 funds in accordance with local needs; and,

3. Other efforts to utilize Proposition 10 funding contrary to its voter approved intent.

Background: Proposition 10 was approved by voters in 1998, and subsequently supported by voters in two failed attempts to modify it, in order to support local services for children 0-5 and their families which establish a strong foundation for children's success in school and throughout their lives. The Proposition established a new tobacco tax allocated to counties to fund these early development services for children, and authorized each county to establish a local Commission to allocate funds based on local needs.

Riverside County's Commission, First 5 Riverside (F5R), is a division of DPSS and funds a variety of Health and Early Childhood Education services including child care/preschool, access to health (Healthy Kids), oral heath, Injury Prevention, early literacy, developmental screenings, and mental health services. These services benefit children and families, as well as the Riverside community by preparing children for success in school, and reducing future costs associated with intensive interventions and treatment. F5R funds have become increasingly important and used to support county services for children 0-5 which have been reduced or eliminated by State or Federal budget reductions, and the poor economic climate. F5R receives an allocation of approximately $22 million annually to support these services.

As a result of the State's poor economy and budget shortfalls, there are ongoing proposals to divert Proposition 10 funds from local use by individual counties. Such proposals would create significant harm to the County of Riverside, and its children and families.

Possible Fiscal Effects: Diversion of Proposition 10 funds from Riverside County would result in a direct loss of $22 million annually. Within the county, Proposition 10 funding is currently supporting programs and services administered by the Community Health Agency, Mental Health and IEHP, each of which would also be impacted by the diversion of funding. Additional indirect losses would occur as a result of the use of Proposition 10 funds by public agencies as a match to other funding streams such as Medi-Cal. EPSDT, WIC, etc.

Issue: Statewide Multipurpose Senior Services Program (MSSP) Elimination.

Position: Support The Continued Funding of MSSP.

Background: The governor is proposing to eliminate the Multipurpose Senior Services Program in his FY 2011-12 budget. The MSSP Site Association (MSA) and the California Association of Area Agencies on Aging (C4A) actively support a rejection of the elimination of the MSSP and support continued funding of the program, a Medicaid 1915c Waiver that serves frail elders.

Possible Fiscal Effects: The elimination of the MSSP will result in a loss of nearly $1.2 Million ($1,191,230) in annual funding to Riverside County Office on Aging beginning in FY 2011-12. The program currently provides care management and community based services and supports for an average monthly active caseload of 278 frail elders who are at risk for premature or inappropriate nursing home placement. In addition elimination of the Office on Aging MSSP will result in layoffs of up to ten professional and administrative support staff. Local businesses that contract with the County of Riverside to provide supplemental services such as attendant care, home repair, home safety equipment, etc., for MSSP clients will also be impacted with a loss of revenue. (See the attached MSA MSSP Fact Sheet and MSA Cost Shift Calculations for more detailed information regarding the statewide impact of the elimination of this vita program).

Issue: Adult Day Health Care (ADHC).

Position: Support the Continued Funding of ADHC.

Background: Adult Day Health Care (ADHC) is a Medi-Cal community based program that provides skilled health services including nursing and rehabilitation therapy and social services for at risk older adults impacted by chronic disease and disability. Clients receive health care monitoring, assistance with medication and rehabilitation services that assist to maintain the individual at their optimal functional level. This program is targeted for elimination. The loss of this program will be a significant blow to the overall day care infrastructure in Riverside County. The Office on Aging had provided funding for the Alzheimer's Day Care Resource Centers throughout the state Community Based Service Programs funded through the Older Californians Act, but this funding was eliminated in the previous fiscal year. The Office on Aging continues to provide limited Older Americans Act funding to community providers for social day care services, but that funding alone will not be sufficient to sustain the community day care providers. Day care not only benefits the individual, but it also provides needed respite for family caregivers.

Issue: County/EMS Agency Authority for Ambulance Transportation Services.

Position: Preserve County/EMS Agency authority to control the EMS system. Support laws and regulations that would enhance county authority, increase funding for such oversight and oppose laws which would decrease county authority.

Background: The 1980 Emergency Medical Services Act provided for counties to establish the local emergency medical services agency to plan, implement, and evaluate local emergency services systems. Cities that operated emergency services prior to June 1980 were grandfathered into law. For well over a decade cities have gone before the Legislature to overturn SB 125 and obtain authority to establish city managed ambulance service. In a lawsuit that went to the California Supreme Court, it was determined that cities and districts could continue services already provided, but could not expand the scope of services without county approval.

Although the 1997 Court decision in the County of San Bernardino v. City of San Bernardino clarified the role of the counties in providing emergency medical services, the League of California Cities and others are still planning to sponsor new law(s), which would cede the counties authority, especially in respect to revising "governance" structures.

Counties maintain that ambulance service must be provided on a countywide basis to ensure that providing services even in remote areas of the county remains financially viable. Changing the system to jurisdiction by jurisdiction would mean that certain affluent areas would be cherry picked by cities leaving the less affluent areas to the county to provide coverage.

If cities were allowed to control ambulance services, those cities that have the fiscal capability to do so will. That would leave all the other areas in the county as a county responsibility. The county would lose the economy of scale and potentially need to subsidize the ambulance provider.

Possible Fiscal Effects: No fiscal impact if position accepted. A fragmented EMS system could increase local costs by an estimated $500,000 to $1,000,000.

Issue: Health Realignment Program not keeping up with county population growth.

Position: Support or sponsor legislation that takes population growth into account for health realignment funding formulas.

Background: Realignment of health funding in 1991 aimed to provide a steady stream of growth by funding it through sales tax and vehicle license fees, two revenue sources that usually have annual growth. However, growth in health and mental health realignment is, in fact, not occurring to any significant degree, and is not keeping up with either inflation or population. Due to the realignment formulas, Riverside County is receiving almost the same amount of funding now as in 2003, despite significant increases in population, and in sales tax and VLF. The system is not working as intended.

Possible Fiscal Effects: Annual growth for funding is very small and Riverside County is estimated to be losing several million dollars as a result. This is a cost shift to counties from the state.

Issue: Mental Health and Substance Abuse Programs.

Position: Support funding and services to maintain or expand mental health and substance abuse programs.

Background: The state has reduced support for county mental health and substance abuse programs each year. In FY 04-05 our system served 34,000 people. Since FY 06-07 the number of people seen in our system has increased from 53,000 to 60,000. At the same time our revenue from the state has reduced 30 percent from $76m to $53m. The state eliminated court ordered Drug Abuse treatment; they cut Medi-Cal Managed Care in Mental Health by one-half, leaving the counties to pick up the mandate; and Realignment reduced from $43m to $35m (a 19 percent reduction).

Possible Fiscal Effects: Cost shift to counties.

Issue: The State is retaining funds intended for counties via Healthcare Reform and via Medicaid.

Position: Oppose.

Background: The State has peeled off funds at every opportunity in the past two years for their excessive administrative costs. These funds (Healthcare Reform and Medicaid) are intended to be for counties, as providers of service.

Issue: Reauthorization of the Workforce Investment Act.

Position: Support the passage of the Workforce Investment Act.

Background: The Riverside County Workforce Investment Board is one of 49 California private-sector led Workforce Investment Boards (WIBs). California's WIBs have transformed California's workforce system to be responsive to the demands of a global economy. Local WIBs across the state have established comprehensive workforce development services accessible to job seekers, laid-off workers, incumbent workers, veterans, youth, new entrants into the workforce, persons with disabilities and businesses. Through strong strategic partnerships with private-sector businesses, local government, community-based organizations, institutions of higher education and K-12 education, WIBs remain in a prime position to serve as the pipeline for a skilled labor force necessary for economic recovery and long-term growth.

Action Requested: Our economic recovery is dependent on having a skilled, knowledge-based workforce. During these very challenging economic times, it is imperative to invest in our nation's human capital by taking swift action to reauthorize the Workforce Investment Act. Building on what has been established, the Riverside County Workforce Investment Board urges Congress to consider the following improvements to the law:

Maintain private-sector business led WIBs to ensure the workforce system is meeting the demands of local businesses. Eliminate the mandated partners based on programs or funding streams. The number of mandated partners along with the private-sector majority creates very large and unwieldy boards. Instead, require WIBs to have mandated partners based on institutions instead of funding streams. Required members at a minimum would include: Community Colleges, the K-12 system, a local Welfare Department, an Economic Development Agency, Organized Labor, and if appropriate, four year colleges.

Local WIBs struggle to assemble funding for business services through a combination of adult, dislocated worker, and rapid response funding. Specific allowable business services should be written into the law, along with the ability to use any funding stream to support those activities. Increased opportunities to provide lay-off aversion services, on-the-job training, and customized training are key to economic recovery and long-term growth.

Allow WIBs the ability to fund skills training through contracted services with institutions of higher education. Current law allows this only when the local board determines there is a training program of demonstrated effectiveness offered in the local area by a community-based organization or another private organization serving special participant populations that face barriers to employment. The workforce development system must move beyond Individual Training Accounts as the only method for assisting job seekers with skill acquisition and career advancement.

Current income-based eligibility requirements in youth programs arbitrarily exclude youth who would most benefit from services. Provide for cross program eligibility, so if a youth or family is deemed low income by one federal program or agency, documentation of their low income status would satisfy the income eligibility requirements of other federal programs, without having to provide additional proof of income. With common eligibility definitions, young people can receive coordinated support from education, workforce and social services programs.

Issue: Resolution of Support of Free Trade Agreement.

Position: Support passage and seek resolution of support.

Background: Seek a resolution of support from the State Senate and State Assembly encouraging the Obama Administration to sign the Free Trade Agreements, with South Korea, Panama, and Columbia. This resolution will formally express the will and support of the people of California to open new markets and reduce tariff and fees associated with exports of products grown or manufactured in our county by 1,200 farming operations and 13,000 manufacturing operations.

Possible Fiscal Effects: Increased taxable sales revenue for county and state as exports rise.

Issue: California Public Library Fund (PLF).

Position: Support full funding for the California Public Library Fund (PLF) as part of the State budget process.

Background: Education Code Sections 18010-18031 (Title 1, Division 1, Part 11, Chapter 1.5) provide for a Public Library Fund to fund public libraries on a per capita matching basis with local public library jurisdictions. The per capita funding basis is to be adjusted annually as per the provisions of Education Code Section 18020. The State has never fully funded the Public Library Fund. In 1999 the Legislature approved an increase of $20 million; the Governor cut the amount by $2 million, providing a total of $56.8 million or 81 percent of full funding. In 2000 the Legislature approved full funding in the budget but the Governor vetoed it. The highest funding for PLF was in FY 1999/00 and FY 2000/01 when $56.8 million was allocated each year. Since then, PLF funding has declined to less than $13 million per year. Once as high as $1.68 per capita in FY 1999/00, it is now at an all time low of $0.34 per capita in FY 2008/09 and FY 2009/10. Full funding for the PLF would cost approximately $107 million or approximately $2.81 per capita. The advantages of this funding source are that the funds come directly to the library without the cost and workload requirements associated with grant applications, and that the funds can be used for basic and general library operations and staffing. In FY 2009-10 the Riverside County Library System received $387,724 in PLF funds. At full funding, the Riverside County Library System would have received $3,076,053 in PLF funds. This loss directly impacts the ability of the library system to provide adequate library staffing, materials, and library services to the community.

Possible Fiscal Effects: No local negative impact is known. The positive impact is noted above.

Issue: Extended Producer Responsibility (EPR) – where producers of goods that contain materials requiring special handling (i.e. mercury, etc.) and that are harmful to the environment if mismanaged are accountable (along with others in the product chain) for the products across the entirety of their lifespan (from "the cradle to the grave").

Position: Support legislation that places responsibility for product design, distribution for sale and collection for recycling or disposal on the producer of said product and thereby relieve local jurisdictions from having to bear the cost of product collection for recycling and disposal programs.

Background: The California law that banned the landfill disposal of items commonly referred to as Universal Wastes that are considered harmful to the environment went into effect on February 8, 2006 (CCR, Title 22, Division 4.5, Chapter 23). Universal Wastes include household batteries, fluorescent light bulbs and tubes, thermostats and other items that contain mercury, and electronic devices such as video cassette recorders, microwave ovens, cellular and cordless phones, printers, computers and radios. Since that time, Sharps have also been banned from landfill disposal.

Local governments have had to develop new programs as a result of these unfunded mandates to handle the disposition of such wastes. The County of Riverside Waste Management Department collects and processes these waste items through its hazardous waste collection and landfill load check programs. The two programs cover the entire county and are funded with a combination of landfill fees and grant monies. The use of public monies for the final disposition of these hard to handle products equates to subsidies in favor of the producers.

Extended Producer Responsibility makes the final handling of such products a cost of doing business for the producer, more accurately reflecting the true cost of the product. The costs will be worked into the purchase price and will only be borne by the users of these particular products rather than by all rate payers. Local governments (and the rate payer) will no longer have to fund costly programs for this purpose. It is hoped by placing the life cycle burden on producers will result in better designs that will reduce the toxicity of products, lessen the amount of packaging which will result in a more efficient use of materials, and in better plans for a final disposition of the product (whether it be easier recycling or proper disposal of it).

The concept of extended producer responsibility has also been applied to products that don't necessarily fall into the categories above. For instance, the governor recently signed bills from the 2010 legislative session into law that involved Extended Producer Responsibility for paint and carpet. The carpet program will eventually save landfill space.

Fiscal Impact: Savings in the expenditure of landfill tipping fee monies that include covering staff/contractor labor costs and in the need for grant funds.

Known Support and/or Opposition: A bill setting up a process for designating products for an EPR lifecycle approach did not get out of the legislature in 2010 (AB 2139), but the California State Association of Counties and the League of California Cities supported it. The California Chamber of Commerce and industry groups opposed it. Local support for EPR is evident in CVAG and the cities of Indian Wells, La Quinta, Palm Desert and Palm Springs passing resolutions in favor of it. As mentioned above, EPR bills for paint and carpet were signed into law by the governor this year.

Issue: Conversion Technologies – Those technologies that process through thermal (without combustion), chemical or biological means the organic portion of municipal solid waste, that remains after recycling, into useable products such as electricity and fuel and as a result decrease the amount of solid waste disposed in landfills.

Position: Support legislation that encourages the development of conversion technologies by removing legislative/regulatory barriers to them and by granting diversion credit on behalf of those jurisdictions that make use of them.

Background: The current statewide level of recycling and composting in the State of California is estimated to be 65 percent (for 2009, per California Department of Resources Recycling and Recovery). Still, 70 percent to 80 percent of all refuse land filled each year is characterized as biomass or organic. This material could be feedstock for a number of different technologies commonly known as conversion technologies: gasification, pyrolysis, anaerobic digestion, hydrolysis, distillation, plasma arc, and fermentation. Such facilities provide additional opportunities to keep recoverable materials out of the landfill.

There has been no conversion facilities developed in the United States. Part of the problem has been government regulations. In California, pyrolysis and distillation are considered forms of "Transformation" (which is considered a kind of disposal) and are limited in terms of how much of the processed material can count toward a jurisdiction's diversion total. Feedstock sent to a transformation facility can count for no more than 10 percent of a jurisdiction's 50 percent requirement. Conversion Technologies are expensive to develop and local governments will need a number of positive factors in their favor to justify their development. Generous credit toward a jurisdiction's State mandated diversion requirement is one important factor. Conversion technologies do not incinerate the feedstock so they should not be considered transformation facilities.

It is widely accepted by stakeholders that jurisdictions should send feedstock to a conversion facility only after the waste stream has been subjected to recycling and other diversion programs (i.e. curbside recycling, Material Recovery Facility (MRF) processing, and commercial recycling, etc.). Though conversion facilities produce worthwhile products, including some technologies producing energy, the existing infrastructure is seen as getting recyclable materials to higher and more beneficial uses. Conversion technologies can make good use of solid waste materials that are not appropriate for these other diversion programs.

Numerous conversion technology facilities are in operation in Europe and Japan. There should be more than enough cases to review in making sure the technologies can meet California's stringent environmental regulations.

Fiscal Impact: Conversion Technologies are expensive options for solid waste management. Analyses and review of proposed projects will have to weigh the lifecycle costs/benefits of each proposed facility and determine if it merits development.

Known Support and/or Opposition: California Assembly Bill 222 dealt with conversion technologies for much of the 2009-2010 legislative session (before it involved a different subject area) and was supported by such agencies as the California State Association of Counties, County Sanitation Districts of L.A. County and the League of California Cities. Opposition to AB 222 included organizations such as California League of Conservation Voters, Alameda County Waste Management Authority and Recycling Board, and Californians Against Waste.

Issue: Riverside County supports renewable energy projects. These projects, however, will result in loss economic development potential (including lost employment opportunities and lost property tax revenue), lost recreation potential, lost historical resources and the unreimbursed costs of additional transportation facilities, public safety facilities and related services. Without appropriate ways to reduce these losses, Riverside County will bear a disproportionately heavy burden for renewable energy production, because it is uniquely suited for the location of renewable energy projects.

Action: 1) Lobby for and support an amendment to Section 73 of the Revenue and Taxation Code clarifying that the property tax exclusion for newly constructed solar energy systems applies only to solar energy systems generating energy for on-site consumption and does not apply to solar power plants generating energy for off-site consumption.

Rationale: Currently, Section 73 of the Revenue and Taxation Code allows a property tax exclusion for all newly constructed solar energy systems. Pursuant to AB 1451 (2008), the exclusion extends through the 2015–16 fiscal year. The term "solar energy systems" has been broadly construed to include facilities generating energy for off-site consumption. This deprives local governments of the economic benefit of the property tax that would be realized if development not exempt from such tax were to occur on the property.

Action: 2) Lobby for and support legislation that would impose a fee for energy generated by renewable energy projects at the point of consumption which would be returned to the jurisdiction where the generation occurred.

Rationale: Given the county's unique locational characteristics, it is certain that renewable energy generated in the county will be utilized outside of the county. As a result, the county will, as noted above, bear the burden of lost economic development potential, lost recreation potential, lost historical resources and the unreimbursed costs of additional transportation facilities, public safety facilities and related services. Much like the added fee for trash that comes into the county from other jurisdictions, such jurisdictions should pay an added cost for renewable energy generated within the county.

Action: 3) Support the California Desert Protection Act of 2010 (S2921) which provides that 25 percent of the income collected by the Bureau of Land Management (BLM) be returned to the county from which the income is derived. The bill, as proposed, allows the income to be used only for advancing renewable energy, energy efficiency, and conservation. Lobby for and support an amendment to the bill that would allow California Desert Protection Act income to also be used to enhance county infrastructure and services.

Rationale: Because the county provides transportation facilities, public safety facilities and related services to public lands, this funding mechanism could compensate the county for the additional impacts caused by renewable energy projects.

Salton Sea Restoration

Issue: The County of Riverside views the restoration of the Salton Sea as a significant priority to the legislative platform. Lack of consensus on a preferred alternative to restore the Salton Sea will cause additional delays, which will have a profound impact on the ecosystem of the Salton Sea include adverse impacts to air quality, bird habitat, fisheries, agriculture and public health.

Action: 1. Consensus on a preferred alternative is necessary to achieve the needed restoration of the sea and to protect the impacted ecosystem.

2. Assistance is needed to identify a sustainable funding mechanism to support restoration activities.

Background: The Salton Sea is a closed drainage basin that occupies the lowest elevations of the Salton Sink of Imperial and Riverside Counties in Southern California. The salt water lake covers approximately 376 square miles making it the largest in California. The Salton Basin has been alternately a fresh water lake and a dry desert basin, depending on random river flows and the balance between inflow and evaporative loss. A lake only exists when it is replenished by the Colorado River and rainfall, a cycle that has repeated itself countless times throughout history.

In 1905 heavy rainfall and snowmelt caused the Colorado River to swell, breaching the banks of the Alamo Canal. Over a period of approximately two years the entire volume of the Colorado River flowed into the Salton Sink forming the lake.

The lack of an outflow over the past 106 years has caused the Salton Sea's ecosystem to undergo accelerated change. Variations in agricultural runoff cause fluctuations in water level, the relatively high salinity of the inflow feeding the Sea, along with evaporation has resulted in ever increasing salinity. By the 1960s it was apparent that the salinity of the Salton Sea was rising, jeopardizing many species of fish. Fertilizer and nutrient runoff combined with the increasing salinity have resulted in large algal blooms and elevated bacteria levels which have impacted the oxygen content of the sea, resulting in significant fish kills over the last several decades. Ultimately, the only species of fish to survive in this environment are tilapia.

The Salton Sea has been termed a "crown jewel of avian biodiversity" with over 400 bird species documented at the Salton Sea. The Salton Sea supports 30 percent of the remaining population of the American white pelican and is a major resting stop on the Pacific Flyway.

In the late 1990s, the Salton Sea Authority, a local joint powers agency, and the U.S. Bureau of Reclamation began efforts to evaluate and develop an alternative to save the Salton Sea. Several alternatives and conceptual designs have been developed over the last fifty years but have been found to be either too costly or structurally deficient.

The California State Legislature, by legislation enacted in 2003 and 2004, directed the Secretary of the California Resources Agency to prepare a restoration plan for the Salton Sea ecosystem, and an accompanying Environmental Impact Report. As part of that effort, which is based on State legislation enacted in 2003 and 2004, the Secretary for Resources established an Advisory Committee to provide recommendations to assist in the preparation of the Ecosystem Restoration Plan. The California Department of Water Resources and California Department of Fish and Game were assigned as lead agencies to oversee the effort and between 2005-2008 developed a preferred alternative for the restoration of the Salton Sea ecosystem and the protection of wildlife dependent on that ecosystem.

On January 24, 2008, the California Legislative Analysis Office released a report entitled "Saving the Salton Sea." The preferred State alternative outlined within this draft plan calls for spending a total of almost $9 billion over 25 years and proposes a smaller but more manageable Salton Sea. The amount of water available for use by humans and wildlife would be reduced by 60 percent from 365 square miles to about 147 square miles. The central portion of the sea would be allowed to almost completely evaporate and would serve as a brine sink, while the southern portion of the sea would be constructed into a saline habitat complex.

During that same time period the Salton Sea Authority made up of local water agencies, tribal interests and the counties of Riverside and Imperial developed an alternate preferred plan to restore the sea.

In February 2010, a ruling by a Sacramento County superior court judge invalidating the Quantification Settlement Agreement, or QSA — a 2003 pact between the state and major water agencies to divide Colorado River water and reduce its use overall in California. The judge said the QSA violated the California Constitution because it left the state on the hook for potentially unlimited Salton Sea mitigation costs.

In September 2010 the Governor signed Senate Bill 51, authored by state Sen. Denise Ducheny, creating the Salton Sea Restoration Council, a governing body of state and local officials and citizen representatives to oversee restoration efforts at the dying sea.

Local officials are unhappy with the makeup of the Salton Sea Restoration Council because of the disproportionate number of state to local representatives.

Urban Counties Caucus Priorities

Urban Counties Caucus Priorities

State Budget Issues: UCC will focus on the State Budget with emphasis on securing adequate funding for programs administered by counties. UCC will oppose reductions in state programs that will have the effect of increasing the burden on county programs. UCC will oppose efforts to reduce funding without a commensurate reduction in county responsibility. UCC will further oppose any efforts to shift costs or federal penalties to counties.

The State Budget is in a serious deficit situation again, and it is worth noting that in previous budget cycles there were serious implications to counties including:

- Suspension of Proposition 1A.
- Deferrals of payments to counties.
- Cuts to transportation and Proposition 42.
- Borrowing and shifted funds from redevelopment.
- Significant cuts to health and human services including IHSS, child welfare, Medi-Cal, and foster care.
- State/local relationship proposals including realignment of programs to counties.

On top of the recent budget cuts, UCC also notes that historically the state has raided county revenue since the enactment of ERAF which contributes to the overall difficulty of financing services at the local level. The shortfall between actual county expenses and state reimbursement for state programs has grown to over $1 billion annually since 2001, creating a de facto cost shift (i.e. the Human Services Funding Deficit). This funding gap forces counties to reduce services to vulnerable populations and/or divert scarce county resources from other critical local services. It also increases the risk of state and federal penalties.

With that in mind UCC believes that the Budget must not be balanced with cuts alone. Further, closing the budget shortfall with additional borrowing simply delays resolution of the problem.

The continuing structural deficits requires reform of California's system of state-local finance so that both Boards of Supervisors and the Legislature have the tools necessary to provide the services and facilities necessary to meet the expectations and needs of our citizens.

Health Care Financing: UCC will work to ensure that the implementation of the 2010 Medi-Cal waiver maximizes the drawdown of federal funds for services and facilities, provides flexibility and ensures that urban counties receive their fair share of funding.

UCC will also work on the implementation of Health Care Reform to maximize Federal revenue for California and its counties and to reduce counties uncompensated health care costs.

Public Compensation: UCC will support disclosure of employee compensation information by the urban counties. UCC will also work to educate the public and the legislature on public compensation and the services provided by counties.

UCC will support measures that meet the following goals for public retirement systems: Counties must be able to maintain retirement systems: 1) at a level of investment that is responsible and predictable; 2) that help to recruit and retain competent workers; 3) that restore the public trust in public retirement systems and the officials that run them; 4) that share financial responsibility between the counties and their employees; and, 5) provide counties with the flexibility to meet local needs.

Public Safety: UCC will continue to work to improve communication and coordination between the California Department of Corrections and Rehabilitation (CDCR) and the urban counties related to parole reform and public safety issues. UCC will support changes to the funding structure that will allow for local government flexibility to ensure that counties remain partners with the state on reentry programs, which will help to provide a smooth transition of parolees to their communities.

UCC will support stable funding for front-line law enforcement including juvenile justice crime prevention, juvenile camps and parole, adult probation, and adequate facilities to house prisoners.

Urban Counties Caucus Legislative Policies

Urban Counties Caucus Legislative Policies

Governance and Finance: In order to fulfill the dual roles of agent of the state and local service provider, counties must have adequate authority, flexibility, and resources. Most importantly, counties must have stable sources of revenue that enable them to both implement state law and respond to essential local priorities.

UCC will oppose proposals that preempt county authority.

UCC will support legislation that enhances or maintains a county's revenue base and oppose measures that limit a county's revenue raising authority or reduce a county's revenue from any source without a commensurate reduction in responsibility.

UCC will oppose proposed formulas that discriminate against urban areas, such as by providing a high minimum funding floor to low population states and localities and not taking into account the higher cost of living, land costs, and risk factors in urban areas.

UCC will support the return to counties of property taxes that were transferred to schools and will also support measures that would enhance counties' efforts to administer the property tax system and oppose those that increase counties' unfunded responsibility for the system.

UCC will oppose any proposals that continue or increase county responsibilities or expenses without a viable and adequate source of revenue.

UCC will oppose any legislation that requires a new program, higher level of service, expanded employee benefits, or other cost imposed upon counties by the state without adequate ongoing funding. Further, UCC believes that counties should be reimbursed promptly and by a date certain for mandates imposed by the state. Finally, because suspended mandates create liability and fiscal issues for counties, mandates should be repealed, not suspended.

UCC will support measures that provide funding for local infrastructure.

UCC will support proposals that increase a board's ability to raise local revenues.

UCC will support measures that maximize federal revenues.

UCC will support measures that reduce maintenance of effort or participation fee requirements and will oppose measures that impose additional maintenance of effort requirements on counties unless they are at least revenue neutral.

UCC will support measures that increase a county's flexibility to administer federal, state, or local programs. For example, UCC will support legislation that provides counties with the necessary authority to establish and manage local programs such as code enforcement of illegal dumping and littering laws.

UCC will oppose measures that limit a county's ability to operate in a reasonable and cost effective manner.

UCC will support proposals that eliminate unnecessary, redundant, or overlapping requirements for program eligibility, funding, maintenance of effort, monitoring, permitting or reporting.

UCC will support the equitable application of existing tax policies to ensure taxpayer compliance and dependable revenues.

UCC will support periodic evaluation of the economic benefit and equitable application of all tax expenditures.

UCC will support measures that enable counties to better exercise their responsibility to plan for, respond to, and receive reimbursement and property tax relief for emergencies and disasters.

UCC supports maintaining a county's flexibility to use eminent domain for public projects. UCC will support limiting the circumstances where redevelopment can be used and will oppose any expansion of the definition of blight.

UCC will support measures that meet the following goals for public retirement systems: Counties must be able to maintain retirement systems: 1) at a level of investment that is responsible and predictable; 2) that help to recruit and retain competent workers; 3) that restore the public trust in public retirement systems and the officials that run them; 4) that share financial responsibility between the counties and their employees; and, 5) provide counties with the flexibility to meet local needs.

UCC will support measures that provide for more disclosure and transparency in public compensation at both the local and state levels.

UCC will monitor activities related to tribal gaming and other tribal enterprises in urban areas with the goal that any tribal compacts include provisions that address county concerns including off-reservation impacts and the ability of counties to meet their governmental responsibilities. Any proposal to place land in trust for a tribe should require the approval of the county within which the land is located.

Health and Human Services: UCC will support legislation that enhances the local safety net and its multiple components including mental health, public health, and the numerous human services that counties provide on behalf of the state and will support proposals that promote dependable, long-term funding for these services.

UCC will support proposals that maximize eligibility for Federal and State-funded programs.

UCC will support proposals that reduce the number of uninsured persons, or expand Medi-Cal and Healthy Families coverage to low-income persons.

UCC will support proposals to simplify and align Medi-Cal and Healthy Families eligibility rules and application processes to increase and expedite the enrollment of uninsured families.

UCC will support proposals that increase net Medicaid/Medi-Cal payments to government providers while opposing proposals that reduce such payments.

UCC will support proposals that use intergovernmental transfers (IGTs), health provider fees, certified public expenditures (CPEs), and other allowable methods to increase net Federal Medicaid and SCHIP matching payments to California and its health providers at no cost to the State General Fund.

UCC will support the use of State capital improvement funds, currently limited to hospitals, for the construction of clinics and other public health facilities and support assistance to hospitals that enables them to meet seismic safety requirements.

UCC will support measures and funding that strengthen the ability of the public health system to respond to chemical, biological, and other forms of terrorism.

UCC will support improvements in the child support collection process. UCC will support the provision of federal matching funds for child support performance incentive payments used for child support enforcement.

UCC proposes that the Legislature support a system of services for adolescents with drug or alcohol problems and provide adequate funding to operate such a system.

UCC supports continued and improved funding for substance abuse treatment and mental health services including those that provide alternatives to incarceration.

UCC will support a state backfill of any reduction in federal financial participation in Federal programs, such as child support enforcement, Medicaid, and Temporary Assistance for Needy Families (TANF).

UCC will support proposals to hold counties harmless from fiscal penalties when the Federal or State governments do not provide additional funding commensurate with the cost of meeting new requirements or performance measures.

UCC supports federal funding for the 211 phone system and also supports the implementation of statewide coverage of the 211 system.

Justice: Counties administer the justice system including law enforcement, jails, district attorney, public defender, and probation, and the larger counties still make maintenance of effort payments towards support of court operations. UCC will support increases in funding for justice facilities and the operational costs of the justice system.

UCC supports State assumption of responsibility for local court facilities as negotiated through the court facility transfer process. Construction of new court facilities, renovation or expansion of facilities transferred to the state, and their maintenance should remain the responsibility of the State.

UCC supports the elimination or reduction of the Maintenance of Effort requirements for urban counties related to the courts.

UCC will support proposals that ensure county justice agencies that interact with the courts have appropriate access to new or upgraded court computer systems at no additional cost to the county.

UCC will support proposals that maximize the pass-through of federal homeland security assistance from the state to counties based on their potential terrorist threat and risk levels and responsibilities for emergency preparedness and response, law enforcement, first response, public health, and emergency medical services.

UCC will oppose any proposals that would shift the responsibility of prisoners from the state to the counties without adequate notification and funding.